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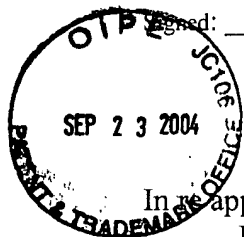
CERTIFICATE OF MAILING

I hereby certify that this TRANSMITTAL is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 21st day of September, 2004.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: Wendy A. Frick



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kandel, et al.

Serial No.: 10/806,040

Filed: March 22, 2004

For: **COMPOSITIONS AND METHODS
FOR IDENTIFYING GENES WHOSE
PRODUCTS MODULATE
BIOLOGICAL PROCESSES**

) Examiner: Not yet assigned
)
)

) Art Unit: 1653
)
)

) Attorney Docket No.: 26473/04235
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith are the following:

1. Information Disclosure Statement;
2. Form PTO-1449;
3. 5 References; and
4. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Information Disclosure Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: September 21, 2004

By: Pamela A. Docherty

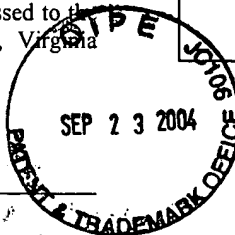
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

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I hereby certify that this INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 21st day of September, 2004.

Wendy A. Frick

Wendy R. Frick



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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- ☒ The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☒ This information disclosure statement is being filed within three months of the filing of the within application and/or **prior to a first Office Action** on the merits being allowed.

PETITION

- ☒ Applicants hereby request consideration of the attached information.

DEPOSIT ACCOUNT

- ☐ A check is attached in the amount of \$_____ required under 37 § 1.17(p).
- ☒ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

Date: September 21, 2004

By: Pamela A. Docherty
Pamela A. Docherty, Reg. No 40,591
(216) 622-8416

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|---|--------------------------------|------------------------|
| Subst. Form PTO-1449 APPLICANT'S INFORMATION DISCLOSURE STATEMENT | Att'y. Docket No.: 26473/04235 | Serial No.: 10/806,040 |
| | Applicant: Kandel, et al. | |
| | Filing Date: March 22, 2004 | Group: 1653 |

U.S. PATENT DOCUMENTS

| Initial* | | Document No. | Date | Name | Class | Subcl. | Filing Date |
|----------|----|--------------|-----------------|--------------------|-------|--------|---------------|
| | AA | 6,361,972 | March 26, 2002 | Harrington, et al. | | | Jan. 10, 2000 |
| | AB | 2004/0162416 | August 19, 2004 | Harrington, et al. | | | Jan. 17, 2001 |

FOREIGN PATENT DOCUMENTS

| | | Document No. | Date | Country | Class | Subcl. | Translation? |
|--|----|--------------|------|---------|-------|--------|--------------|
| | AC | | | | | | |
| | AD | | | | | | |

OTHER PRIOR ART

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|-----------|----|--|
| | AE | International Search Report dated September 8, 2004. |
| | AF | "Identification of a human NF- κ B-activating protein, TAB3" by Jin, et al., <u>PNAS</u> , Vol. 101, No. 7, February 17, 2004, pp. 2028-2033. |
| | AG | "Creation of genome-wide expression libraries using random activation of gene expression" by Harrington, et al., <u>Nature Biotechnology</u> , Vol. 19, May 2001, pp. 440-445. |
| | AH | |
| | AI | |
| | AJ | |
| | AK | |
| | AL | |
| | AM | |
| | AN | |
| | AO | |
| Examiner: | | Date Considered: |

*EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.